

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
October 4, 2011**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, Martinez, McNealy, Nava

ABSENT: Ornelas, Christian

3. September 20, 2011 Zoning Commission Minutes will be considered on October 18, 2011 Zoning Commission Meeting.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2011183 (Council District 2):** A request for a change in zoning from “MF-33 EP-1 AHOD” Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District to “O-1 IDZ EP-1 AHOD” Office Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District on Lot 18, Block 4, NCB 1326, except the south 5 feet, 710 Arthur Street. Staff recommends approval pending Master Plan Amendment.

Staff stated there were 32 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and staff received 15 notices expressing support outside the 200-foot radius and Harvard Place/Eastlawn Neighborhood Association is in favor. Staff mailed 25 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2011191 (Council District 3):** A request for a change in zoning from “NP-8 AHOD” Neighborhood Preservation Airport Hazard Overlay District to “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District on Lots 45, 46 and 47, Block 25, NCB 3819, 339 Channing. Staff recommends approval.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Southeast Citizens Committee and Highland Park Neighborhood Association. Staff mailed 37 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

6. ZONING CASE NUMBER Z2011181 S ERZD (Council District 8): A request for a change in zoning from "C-3 ERZD" General Commercial Edwards Recharge Zone District to "C-3 S ERZD" General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 2.8 acres out of Lot 3, Block 20, NCB 16883 on a portion of the 8200 Block of Hausman Road. Staff recommends approval pending plan amendment.

James Griffin, representative, stated the purpose of this request is to allow development of a hospital. He stated he would like to submit the updated site plan and add a condition that being the maximum building height allowed by the Unified Development Code Section 35-517 (d) 1 shall not exceed 40 feet.

Michael Barr, SAWS, presented their report and recommended 65% impervious cover limitation.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner McNealy to recommend approval with the condition that the maximum building height allowed by the Unified Development Code Section 35-517 (d) 1 shall not exceed 40 feet.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2011179 (Council District 2): A request for a change in zoning from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District on 62.273 acre tract of land out of NCB 35132. Foster Road and Foster Meadows Drive (Foster Meadow Subdivision). Staff recommends denial pending Master Plan Amendment.

Harry Jewett, representative, stated the purpose of this request is to allow for "R-4" single-family development on the subject property. He stated they presented their plan amendment to Planning Commission on August 24, 2011 and was approved for Low Density Land Use. He stated this development would be a continuation of the existing single-family development.

Staff stated there were 63 notices mailed out to the surrounding property owners, 1 returned in opposition and 28 returned in favor. Staff mailed 30 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend approval.

AYES: Tiller, McFarland, D. Martinez, Salazar

NAY: Flores, McNealy, Nava

ABSTAIN: Clancy

THE MOTION FAILS

No other motion was made therefore this case will proceed to City Council if requested by the applicant with a recommendation of denial.

8. ZONING CASE NUMBER Z2011188 S (Council District 5): A request for a change in zoning from "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District to "C-2 S MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District with Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week on Lot 6, Lot 7, Lot 8 and Lot 9, Block 13, NCB 3132, 512 Roosevelt Avenue. Staff recommends denial.

Applicant/Representative not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 returned in favor and Roosevelt Park Neighborhood Association is in opposition. Staff mailed 16 notices to the Planning Team.

Chairman Tiller stated this case would be table in order to allow time for the applicant/representative to arrive.

9. ZONING CASE NUMBER Z2011182 CD (Council District 7):

Micah Diaz, Case Manager, stated this case has been pulled due to notification error.

10. ZONING CASE NUMBER Z2011189 (Council District 6): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District on Parcel 209 (formerly Parcel 23), NCB 18049 and Lot 2, Block 10, NCB 18050, save and except those portions conveyed to the City of San Antonio in Volume 14256, Page 1795-1801 and Volume 14256, Page 1802-1807, 7386 Grissom Road. Staff recommends denial.

Habib Erkan, representative, state the purpose of this zoning request is to bring existing recycling facility into compliance. He stated his client has been in operation since 1996 and in 2001 when the Unified Development Code was approved by City Council, the subject property became in non-compliance. He further stated the recycling plant has annual inspections by SAWS, which have been approved.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 37 notices to the Planning Team.

Commissioner C. Martinez arrived at 1:46 pm

COMMISSION ACTION

The motion was made by Commissioner C. Martinez seconded by Commissioner McNealy to recommend approval with a caveat understanding that it is not enforceable by the City but that the deed restriction get executed with the neighborhood association as a third party item.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2011190 CD (Council District 1): A request for a change in zoning from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lots 22 and 23 and the south 65 feet of Lot 21, Block 2, NCB 2074 also known as Lot 27, Block 2, NCB 2074, 718 Kentucky Avenue. Staff recommends approval.

Paul Mathis, representative, stated they are requesting this change in zoning to allow for 25 additional parking spaces for the existing church.

The following citizen(s) appeared to speak:

Raul Escobar, stated he would like to know if the applicant will erect a fence around the property.

John Smith, representing West End Baptist Church, stated they have visited the surrounding property owners and did not receive opposition/concerns for the proposed parking lot. He further stated they would not erect a fence however; it is in their future plans.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, C. Martinez, Nava

NAY: McNealy

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2011188 S (Council District 5): A request for a change in zoning from "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District to "C-2 S MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District with Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week on Lot 6, Lot 7, Lot 8 and Lot 9, Block 13, NCB 3132, 512 Roosevelt Avenue. Staff recommends denial.

Applicant/Representative still not present.

John McDowell, stated he does not support this request. He stated there is a park and church near and expressed concerns for the safety of the residence and children.

David Hernandez, stated he is in opposition. He expressed concerns with the noise and light pollution. He further stated there is an existing problem with prostitution and drug activity down Roosevelt and feels the proposed bar/tavern would only encourage more unwelcome activities.

Johanna Fauerso, stated she would also like to echo Mr. Hernandez's comments. She stated they are in the process of revitalizing the Roosevelt Corridor and feels this would only have a negative setback.

Michael Westheimer, stated he would also like to express his opposition. He recently purchased a mobile home park along Roosevelt and has invested numerous dollars in enhancing the park and feels this proposal would have such a negative impact to the neighborhood. As stated by the previous speakers, there is an existing prostitution and drug activity in the neighborhood and allow such establishment would encourage more activities.

COMMISSION ACTION

The motion was made by Commissioner Flores seconded by Commissioner C. Martinez to recommend denial.

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy,
Nava

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2011192 S (Council District 10): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Nightclub with cover charge three or more days per week on 4,215 square feet out of Lot 1, NCB 12571, 8800 Broadway, #102. Staff recommends approval.

Luis Fraklas, representative, stated the purpose of this request is to allow for a nightclub with a cover charge three or more days a week. He stated they have been in contact with the surrounding property owners as well as the church and has received a letter of support from the church.

Brenda Dove, owner, stated she would amend her original request from "C-3 S" to a "C-3"

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval as amended by the applicant to "C-3".

AYES: Tiller, McFarland, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy,
Nava

NAY: None

THE MOTION CARRIED

October 4, 2011

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14. There being no further business, the meeting was adjourned at 2:37 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary